

01/22/02  
jc882 U.S. PTO

Please type a plus sign (+) inside this box ☒

PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. Miller 01-01  
First Inventor Neal J. Miller et al.  
Title SYSTEM AND PROCESS FOR SEPARATING  
MULTI PHASE MIXTURES USING THREE.  
Express Mail Label No. ET 203 311 841US

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

- ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
- ☒ Applicant claims small entity status.  
See 37 CFR 1.27.
- ☒ Specification [Total Pages 46]  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
- ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 11]
- Oath or Declaration [Total Pages 4]
  - ☒ Newly executed (original or copy)
  - ☐ Copy from a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 18 completed)
    - ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

- ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
- Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
  - ☐ Computer Readable Form (CRF)
  - Specification Sequence Listing on:
    - ☐ CD-ROM or CD-R (2 copies); or
    - ☐ paper
  - ☐ Statements verifying identity of above copies

## ACCOMPANYING APPLICATION PARTS

- ☐ Assignment Papers (cover sheet & document(s))
- ☐ 37 CFR 3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
- ☐ English Translation Document (if applicable)
- ☒ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of IDS Citations
- ☐ Preliminary Amendment
- ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
- ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
- ☒ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
- ☐ Other: .....

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP)

of prior application No.: 09,357,339

Prior application information:

Examiner

Group Art Unit:

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

## 19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label



or ☐ Correspondence address below

Name

022823

PATENT TRADEMARK OFFICE

Address

City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type)

Stephen A. Gratton

Registration No. (Attorney/Agent)

28,418

Signature

Date

1/18/2002

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10/051324

01/22/02

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)**580.00**

## Complete if Known

|                      |                       |
|----------------------|-----------------------|
| Application Number   |                       |
| Filing Date          | January 18, 2002      |
| First Named Inventor | NEAL J. MILLER et al. |
| Examiner Name        |                       |
| Group Art Unit       |                       |
| Attorney Docket No.  | Miller 01-01          |

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit Account Number: **07-1857**  
Deposit Account Name: **Stephen A. Gratton**

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☐ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Entity  | Small Entity  | Fee Description        | Fee Paid |
|---------------|---------------|------------------------|----------|
| Fee Code (\$) | Fee Code (\$) |                        |          |
| 101 740       | 201 370       | Utility filing fee     | 370      |
| 106 330       | 206 165       | Design filing fee      |          |
| 107 510       | 207 255       | Plant filing fee       |          |
| 108 740       | 208 370       | Reissue filing fee     |          |
| 114 160       | 214 80        | Provisional filing fee |          |

SUBTOTAL (1) (\$)**370**

### 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Extra Claims Fee from below Fee Paid  
Total Claims **34** - 20\*\* = **14** X **9** = **126**  
Independent Claims **5** - 3\*\* = **2** X **42** = **84**  
Multiple Dependent  =

| Large Entity  | Small Entity  | Fee Description  |
|---------------|---------------|--|
| Fee Code (\$) | Fee Code (\$) |  |
| 103 18        | 203 9         | Claims in excess of 20                                     |
| 102 84        | 202 42        | Independent claims in excess of 3                          |
| 104 280       | 204 140       | Multiple dependent claim, if not paid                      |
| 109 84        | 209 42        | ** Reissue independent claims over original patent         |
| 110 18        | 210 9         | ** Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$)**210**

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Small Entity


| Fee Code (\$) | Fee Code (\$) | Fee Description  | Fee Paid |
|---------------|---------------|--|----------|
| 105 130       | 205 65        | Surcharge - late filing fee or oath  |          |
| 127 50        | 227 25        | Surcharge - late provisional filing fee or cover sheet                     |          |
| 139 130       | 139 130       | Non-English specification  |          |
| 147 2,520     | 147 2,520     | For filing a request for ex parte reexamination                            |          |
| 112 920*      | 112 920*      | Requesting publication of SIR prior to Examiner action                     |          |
| 113 1,840*    | 113 1,840*    | Requesting publication of SIR after Examiner action                        |          |
| 115 110       | 215 55        | Extension for reply within first month                                     |          |
| 116 400       | 216 200       | Extension for reply within second month                                    |          |
| 117 920       | 217 460       | Extension for reply within third month                                     |          |
| 118 1,440     | 218 720       | Extension for reply within fourth month                                    |          |
| 128 1,960     | 228 980       | Extension for reply within fifth month                                     |          |
| 119 320       | 219 160       | Notice of Appeal   |          |
| 120 320       | 220 160       | Filing a brief in support of an appeal                                     |          |
| 121 280       | 221 140       | Request for oral hearing   |          |
| 138 1,510     | 138 1,510     | Petition to institute a public use proceeding                              |          |
| 140 110       | 240 55        | Petition to revive - unavoidable   |          |
| 141 1,280     | 241 640       | Petition to revive - unintentional   |          |
| 142 1,280     | 242 640       | Utility issue fee (or reissue)   |          |
| 143 460       | 243 230       | Design issue fee   |          |
| 144 620       | 244 310       | Plant issue fee  |          |
| 122 130       | 122 130       | Petitions to the Commissioner  |          |
| 123 50        | 123 50        | Processing fee under 37 CFR 1.17(q)  |          |
| 126 180       | 126 180       | Submission of Information Disclosure Stmt                                  |          |
| 581 40        | 581 40        | Recording each patent assignment per property (times number of properties) |          |
| 146 740       | 246 370       | Filing a submission after final rejection (37 CFR § 1.129(a))              |          |
| 149 740       | 249 370       | For each additional invention to be examined (37 CFR § 1.129(b))           |          |
| 179 740       | 279 370       | Request for Continued Examination (RCE)                                    |          |
| 169 900       | 169 900       | Request for expedited examination of a design application                  |          |

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)

## SUBMITTED BY

|                   |   |                                   |        |           |              |
|-------------------|---|-----------------------------------|--------|-----------|--------------|
| Name (Print/Type) | Stephen A. Gratton  | Registration No. (Attorney/Agent) | 28,418 | Telephone | 303 989 6353 |
| Signature         |  |                                   |        | Date      | 1/18/2001    |

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**NONPUBLICATION REQUEST  
UNDER  
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor

NEAL J. MILLER et al.

Title

SYSTEM AND PROCESS FOR SEPARATING  
MULTI PHASE MIXTURES USING THREE...

Atty Docket Number

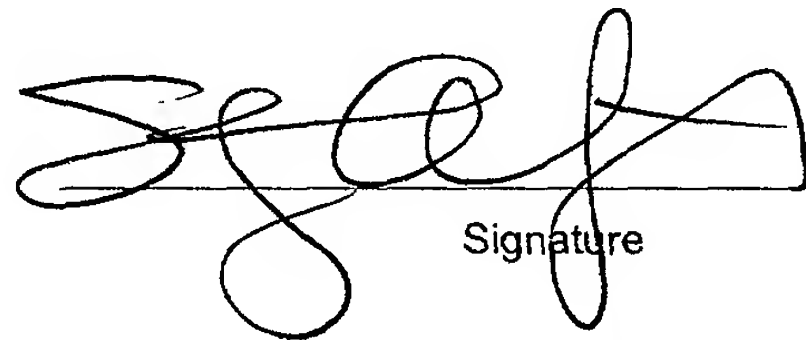
Miller 01-01

I hereby certify that the invention disclosed in the attached application **has not and will not** be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

January 18, 2002

Date



Signature

Stephen A. Gratton, #28,418

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**